IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 449 OF 2000

Mohan Krishna Pawar. ... Applicant.

Versus.

Sou.Jyoti Mohan Pawar. ... Respondent.

Smt.S.M.Dandekar for the Applicant.

Shri S.M.Railkar for the Respondent No.1.

Ms.Rajashree Gadvi, A.P.P. for State.

CORAM : ABHAY S. OKA, J.

DATED : 6th June, 2005.

P.C.:

1. Heard the learned Counsel appearing for the parties. The learned Magistrate awarded maintenance of Rs.500/- per month to the Respondent under section 125 of the Code of Criminal Procedure, 1973. The Revision filed by the Applicant in the Sessions Court has been dismissed.

2. The finding of fact recorded by the learned Magistrate having been confirmed in revision, the jurisdiction of this Court under Article 227 of the Constitution of India is always discretionary. Considering the finding of fact recorded by the learned Magistrate, no interference is called for against the order of awarding maintenance of Rs.500/- per month to the Respondent-wife.

3. The Petitioner has deposited a sum of Rs.5000/- in

the trial Court. Some time deserved to be granted to the Petitioner to comply with the impugned order.

4. Writ Petition is dismissed with no order as to costs. The Applicant is granted three months time to comply with the impugned Judgment and order.

Judge.